BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 90-421-T - ORDER NO. 91-564 \checkmark JULY 1. 1991

IN RE: Application of Robert E. Brizendine,
Trustee for Brown Transport Corp., Suite) ORDER
3275, 1201 W. Peachtree, NW, Atlanta, GA) DENYING
30309 to Transfer Class E Certificate) RECONSIDERATION
No. 2540 to Skyline Transportation, Inc.,)
10732 Dutchtown Road, Knoxville, TN 37933.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition for Reconsideration filed by F. Lee Prickett, Jr., Esquire, the attorney for the Intervenor, Southeastern Freight Lines (Southeastern). Southeastern requests reconsideration of our Order No. 91-383, dated May 15, 1991, which granted an extension of time of sixty (60) days for the parties to comply with the Commission's directives in Order No. 91-126.

The Petition for Reconsideration must be denied as untimely. Regulation 103-881 governs the time limit for filing a Petition for Rehearing or Reconsideration in this matter. That regulation states in part that "any party of record may within twenty (20) days after the date of the receipt of an Order, petition the Commission for rehearing or reconsideration."

In the case at bar, an examination of the return receipt signed by one of the attorneys for the Intervenor, Southeastern

Freight Lines reveals that our Order No. 91-126, of May 15, 1991, was received by Southeastern's attorneys on May 20, 1991.

Southeastern then had until June 10, 1991, to petition the Commission for reconsideration. Prickett's Petition for Reconsideration as submitted was received by this Commission on June 17, 1991, and was indeed submitted from Prickett's office on June 14, 1991. The Petition for Reconsideration is therefore, untimely under the pertinent regulation.

IT IS THEREFORE ORDERED:

- That the Petition for Reconsideration of our Order No.
 91-126 is hereby denied.
- 2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

ACTING Chairman

ATTEST:

EVECUCIAE DIIC

(SEAL)